

REMARKS

Claims 1-80, 95, 109 and 113-135 are canceled without prejudice or disclaimer. Applicants reserve the right to pursue the canceled subject matter in one or more continuing applications. Claims 111 and 112 have been amended to delete dependencies on canceled claims. No new matter is added.

Upon entry of this amendment, claims 81-94, 96-108 and 110-112 will be pending. The pending claims relate to synthetic Factor VIII or Factor IX nucleic acids, vectors and cells.

Applicants acknowledge the withdrawal of the previous objection to the claims and withdrawal of the previous rejections under 35 U.S.C. § 112 and under 35 U.S.C. § 102 (over Kim). Applicants acknowledge the Examiner's conclusion that claims 81-94, 96-108 and 110 are free of prior art. Claims 111 and 112 have been amended to be dependent only on claims deemed free of prior art.

Obviousness type double patenting

Claims 64-79, 111-120, 122-125, 127-130 and 132-135 are provisionally rejected as unpatentable over claims 1-15 of U.S.S.N. 09/686,497, which recite an α -galactosidase sequence. Claims 64-79 and 113-135 are canceled, obviating the rejection. Claims 111 and 112 have been amended to depend solely from claims that recite a Factor VIII or Factor IX sequence. Therefore, Applicants respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 64, 65, 68-71, 73, 74, 76-79, 113-115 and 119 are rejected as anticipated over Coleman (WO 98/24922) or Ralston (U.S. 6,034,0732). These claims have been canceled, thereby obviating the rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

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Applicant : Allan M. Miller et al.
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Applicants submit that the application is in condition for allowance. Enclosed is a Petition for Extension of Time with the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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Leda Trivinos
Reg. No. 50,635

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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